

MESSAGE NO: 2255213 MESSAGE DATE: 09/12/2002

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-580-001

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/03/1982 TO 09/30/1984

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR STEEL WIRE NAILS FROM KOREA (A-580-001)

MESSAGE NO: 2255213

DATE: 09 12 2002

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

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CASES: A - 580 - 001

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PERIOD COVERED: 02 03 1982 TO 09 30 1984

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR STEEL WIRE NAILS FROM
KOREA (A-580-001)

1. ON 08/13/1982, THE DEPARTMENT OF COMMERCE (THE DEPARTMENT) PUBLISHED IN THE FEDERAL REGISTER (47 FR 35266) THE ANTIDUMPING DUTY ORDER ON CERTAIN STEEL WIRE NAILS FROM THE REPUBLIC OF KOREA (A-580-001). SUSPENSION OF LIQUIDATION BEGAN IN THIS CASE ON 2/3/1982 (47 FR 5028).

2. ON 10/01/1985, THE DEPARTMENT PUBLISHED IN THE FEDERAL REGISTER (50 FR 40045) THE FINAL RESULTS OF CHANGED CIRCUMSTANCES ADMINISTRATIVE REVIEW AND REVOCATION OF THE ANTIDUMPING DUTY ORDER ON CERTAIN STEEL WIRE NAILS FROM KOREA WITH AN EFFECTIVE

REVOCAION DATE OF 10/01/1984. IN THAT NOTICE THE DEPARTMENT STATED THAT IT WOULD COVER ANY ENTRIES NOT COVERED IN A PRIOR ADMINISTRATIVE REVIEW AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION PRIOR TO 10/01/1984, IN A SEPARATE REVIEW, IF ONE WAS REQUESTED. SUBSEQUENTLY, TWO RESPONDENTS (KABUL/DONG-A NAILS

MFG. CO., LTD., AND KUK DONG METAL IND. CO., IND.) REQUESTED IN ACCORDANCE WITH 353.53a(a) THAT THE DEPARTMENT CONDUCT AN ADMINISTRATIVE REVIEW COVERING THE CONSECUTIVE PERIODS 02/03/1982 THROUGH 09/30/1984. ON 01/29/1988, THE DEPARTMENT PUBLISHED THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (53 FR 2612) OF THESE COMPANIES.

3A. LIQUIDATION INSTRUCTIONS WERE ISSUED FOR KABUL/DONG-A NAILS MANUFACTURING CO, LTD. FOR THE PERIOD 02/03/1982 THROUGH 09/30/1984, UNDER CIE SUPPL. #9 DATED 05/18/1988 (02/03/1982 THROUGH 10/31/1982); SUPPL. #11 DATED 05/18/1988 (11/01/1982 THROUGH 07/31/1983); AND, SUPPL. #10 DATED 05/18/1988 (08/01/1983 THROUGH 09/30/1984). DONG-A, A PRODUCER OF NAILS, SOLD MERCHANDISE TO THE UNITED STATES USING ITS NAME AND THE NAME OF ITS PARENT FIRM, KABUL, A KOREAN TRADING COMPANY).

3B. LIQUIDATION INSTRUCTIONS WERE ISSUED FOR ALL SHIPMENTS OF CERTAIN WIRE NAILS FROM THE REPUBLIC OF KOREA PRODUCED AND/OR EXPORTED BY KUK DONG METAL IND. CO., LTD., ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 02/03/1982 THROUGH 09/30/1984 UNDER CIE SUPPL. #8 DATED 5/18/1988.

3C. LIQUIDATION INSTRUCTIONS WERE ISSUED FOR THE COMPANIES LISTED BELOW FOR THE PERIOD 02/03/1982 THROUGH 09/30/1984 UNDER E-MAIL MESSAGE # 02087 DATED 02/26/1986:

AH-JU STEEL CO., LTD., DAE-A STEEL WIRE IND. CO., LTD., GAY METAL IND. CO., LTD., HAN DUK IND. CO., LTD., HAN KUK STEEL WIRE IND. CO., LTD., KOREA ILL DONG CO., LTD., KOREA NIPOON SESEN CO., LTD., NEW KOREA NAILS IND. CO., LTD., THE TAN'S METAL IND. CO., LTD., YOUNG SIN METAL IND. CO., LTD.

NAILS PRODUCED BY JIN HEUNG IRON AND STEEL CO., LTD., AND

SAMCHOK IND. CO., LTD. (NOW KNOWN AS DONGBU INDUSTRIAL CO., LTD.) ARE EXCLUDED FROM THE ANTIDUMPING DUTY ORDER. SEE E-MAIL MESSAGE # 02087 DATED 02/26/1986.

3D. FOR ALL SHIPMENTS BY ALL OTHER PRODUCERS AND/OR EXPORTERS OF CERTAIN STEEL WIRE NAILS FROM THE REPUBLIC OF KOREA, ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 02/03/1982 THROUGH 09/30/1984, LIQUIDATE AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY, AS INDICATED BELOW:

DATES	RATE
02/03/1982 THROUGH 03/18/1982	4.0%
03/19/1982 THROUGH 06/23/1982	3.6%
06/24/1982 THROUGH 09/30/1984	3.8%

4. THESE INSTRUCTIONS, WHERE APPROPRIATE, CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON

UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS.

THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT RON TRENTAM OR SHEILA FORBES AT 202-482-6320 AND (202) 482-4697, RESPECTIVELY, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party